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CRL OP No. 6297 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6297 of 2026

1.Niraj Kumar
2.Abishek Kumar

..Petitioners

Vs

The State Rep. by
The Inspector of Police,
PEW – Tiruppur District.
(Cr.No.58 of 2026)

..Respondent

Prayer: Criminal Original Petition filed under section 483 of BNSS to grant bail to the petitioners in Crime No.58 of 2026 on the file of the respondent police.

For Petitioners:

M/s.G.Sujith

For Respondent:

Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 09.02.2026 for the alleged offences under Section 8(c) and 20(b)(ii)(B) of NDPS Act, 1985 in Crime No.58 of 2026 on the file of the respondent police, seeks bail.



2. This case has been registered against the petitioners for illegal possession of 4 kg of ganja.

3. The learned counsel for the petitioners submitted that the petitioners have been falsely implicated in this case and that they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners has been in custody since 09.02.2026 and are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that 4 kg of Ganja, which falls under intermediate quantity, was recovered from the petitioners and that there are no previous cases against them. Hence, he opposed to grant bail to the petitioners.

5. I have given anxious consideration to the submissions made by the learned counsel appearing on either side and also perused the materials available on record.

6. Considering the fact that the contraband involved is an intermediate quantity and that the petitioners have no previous case and also taking into consideration the period of incarceration of the petitioner since 09.02.2026, this Court is inclined to enlarge the petitioners on bail, subject to the following conditions



7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Additional District Judge/Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioners shall report before the respondent police daily at 10.30 a.m and 5.30 p.m. for a period of 30 days and thereafter as and when required for interrogation;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Additional District Judge/Presiding Officer,
Special Court for Essential Commodities Act Cases,
Coimbatore.
2. The Inspector of Police,
PEW – Tiruppur District.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN J.

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